

Mr. Brian Darnell  
Vice President and Facility Security Officer  
San Jacinto River Fleet, LLC  
P.O. Box 1550  
Channelview, Texas 377530

RE: Draft Sampling and Analysis Plan for Pre-Construction Baseline Site Assessment  
San Jacinto River Fleet Property, Harris County, Texas

Dear Mr. Darnell:

The Environmental Protection Agency (EPA) and others have performed reviews of the above referenced document dated February 2012. The enclosed comments should be incorporated in a revised Sampling and Analysis Plan and provided to EPA for review and approval.

Thank you for your assistance in this matter. If you have any questions, please contact me at (214) 665-8318, or send an e-mail message to [miller.garyg@epa.gov](mailto:miller.garyg@epa.gov).

Sincerely yours,

Gary Miller, P.E.  
Remediation Project Manager

Enclosure

cc: Luda Voskov (TCEQ)  
Bob Allen (Harris County)  
Nicole Hausler (Port of Houston)  
Jessica White (NOAA)

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## **Comments Relating to the Draft Sampling and Analysis Plan for Pre-Construction Baseline Site Assessment:**

1. There are potential traffic flow areas identified in the Figure 4-2 map including the “Internal Fleet Navigation Area” and the “Barge Staging Area”, where activities may be expected to disturb the sediment. The sampling plan should include additional samples in these areas. An additional five annual sediment samples should be collected in these areas, including one in each of the north-south Navigation Area lanes, one in the northwest-southeast Navigation Lane, and two in the central barge staging area between the two north-south lanes. One of the sample locations in the center barge staging area should be at the same location where the past sample of 121 TEQ ng/kg was located.
2. The plan should include a brief discussion regarding the amount of traffic expected at the facility, as well as the water depths (figure) in the navigation and staging areas.
3. Statements in the sampling plan regarding avoiding liability under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) should be removed. The EPA has made no determination regarding potential CERCLA liability, and the measures included in the sampling plan do not immunize or shield a party from potential past or future liability. However, the sampling results may show that the San Jacinto River Fleet operations are not having an effect on the San Jacinto River Waste Pits Superfund Site.
4. Section 1.4.1: Chemicals of Concern: According to the draft sampling plan, humans are not included as potential receptors for the sediment. However, the Conceptual Site Model for the San Jacinto River Waste Pits Superfund Site identifies sediment as an exposure media for potential receptors including people fishing as well as recreational visitors. Further, there are currently fish consumption advisories in place for the San Jacinto River for dioxin and other chemicals. The plan should recognize humans as potential receptors and should use a corresponding sediment screening level. Based on the recently released non-cancer toxicity for dioxins, the EPA Region 6 is currently applying a screening level of 665 TEQ ng/kg for sediment. The plan should be revised to include this screening level.